

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

NATIONAL SPECIALTY INSURANCE
COMPANY, GEMINI INSURANCE
COMPANY, JWB LOGISTICS CORP.,
TMD LOGISTICS CORP., and T.B.
CHOYA EXPRESS, INC.

Plaintiffs,

v.

TUNKHANNOCK AUTO MART, INC.,

Defendant.

CIVIL ACTION NO. 3:16-CV-00268
(JUDGE CAPUTO)

ORDER

NOW, this 17th day of February, 2017, **IT IS HEREBY ORDERED** that:

- (1) The Amended Motion to Dismiss filed by Defendant Tunkhannock Auto Mart, Inc. (Doc. 11) is **GRANTED**. Plaintiffs' Complaint (Doc. 1) is **DISMISSED without prejudice**.
- (2) Defendant's first-filed Motion to Dismiss (Doc. 7) is **denied as moot**.
- (3) Plaintiffs may file an amended complaint consistent with the accompanying opinion within **fourteen (14) days** from the date of entry of this Order. If Plaintiffs fail to file an amended complaint within fourteen (14) days of this Order, the case will be **dismissed**.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge